

Message Text

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TO USLO PEKING PRIORITY

INFO AMCONSUL HONG KONG

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E.O. 11652: N/A

TAGS: CDES, CH

SUBJECT: REPORT ON LOCAL LAWS ON DISPOSITION OF REMAINS

1. IN RECENT WEEKS, THE DEPARTMENT HAS BEGUN TO RECEIVE INQUIRIES ON WHAT ARRANGEMENTS WOULD BE APPLICABLE IN THE PRC IN CASE OF THE DEATH OF AN AMERICAN CITIZEN THERE. (THESE INQUIRIES HAVE COME MAINLY FROM MW KELLOGG AND OTHER FIRMS WHICH WILL BE INVOLVED IN AMMONIA PLANT CONSTRUCTION.) TO ENABLE DEPARTMENT TO ANSWER INQUIRIES, AND IN ANTICIPATION OF AN URGENT NEED FOR SUCH INFORMATION IN THE EVENT OF A DEATH OF AN AMERICAN CITIZEN THERE, WE BELIEVE THAT USLO SHOULD MAKE AN EFFORT TO OBTAIN INFORMATION REGARDING PRC LAWS, REGULATIONS, PRACTICES, ETC. CONCERNING THE DEATHS OF FOREIGN NATIONALS WITHIN PRC. AS WE SEE IT, USLO'S EFFORT SHOULD BE A TWO-STAGE PROCESS. FIRST, YOU COULD CHECK WITH SOME OF THE DIPLOMATIC MISSIONS TO LEARN WHAT THEIR EXPERIENCES HAVE BEEN AND WHAT THEY MAY HAVE LEARNED RE PRC LAWS AND REGULATIONS. DEPENDING ON WHAT IS LEARNED, WE WOULD THEN CONSIDER

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APPROACHING MFA ON THE SUBJECT.

2. THE TYPES OF INFORMATION NEEDED ARE OUTLINED IN PARAGRAPH 3. WHEN POSSIBLE, CITATIONS OF APPROPRIATE LAWS OR REGULATIONS SHOULD BE INCLUDED, AND IF THERE ARE REGIONAL

OR LOCAL VARIATIONS, THESE SHOULD BE INDICATED.

3. INFORMATION DESIRED:

A) MAXIMUM PERIOD BEFORE BURIAL: WHETHER LOCAL LAWS AND REGULATIONS REQUIRE BURIAL WITHIN A PRESCRIBED PERIOD

(1) WHEN BODY IS EMBALMED, (2) WHEN BODY IS NOT EMBALMED.

B) EMBALMING: WHETHER EMBALMING FACILITIES EXIST, AND HOW SOON AFTER DEATH BODIES MUST BE EMBALMED.

C) CREMATION: DESCRIBE LOCAL LAWS CONCERNING CREMATION, CONDITIONS UNDER WHICH IT MAY BE EFFECTED, AND WHETHER LOCAL FACILITIES ARE AVAILABLE FOR BODIES OF FOREIGNERS.

D) CASKETS AND CONTAINERS: WHETHER THE CONTAINERS OBTAINABLE LOCALLY MEET (1) THE REQUIREMENTS FOR SHIPMENT OUT OF THE COUNTRY AND (2) THE BASIC US PUBLIC HEALTH SERVICE ENTRY REQUIREMENT OF HERMETICAL SEALING WHEN REMAINS ARE EMBALMED.

E) EXPORTATION OF REMAINS: LOCAL REQUIREMENTS REGARDING EXPORTATION OF (1) BODIES AND (2) ASHES.

F) COSTS: ESTIMATES, STATED IN US DOLLARS, OF COSTS OF BURIAL, CREMATION, EMBALMING, PREPARATION OF BODY FOR SHIPMENT (INCLUDING CONTAINER, ETC.), AND SHIPPING COSTS FOR BODY AND ASHES BY SURFACE CARRIER AND BY AIR TO PORT OF ENTRY IN THE UNITED STATES, ALSO COST OF SHIPMENT OF ASHES BY PARCEL POST.

G) EXHUMATION AND SHIPMENT: THE LAWS AND REGULATIONS GOVERNING THE DISINTERMENT AND EXPORTATION TO THE UNITED STATES OF REMAINS WHICH HAVE ALREADY BEEN BURIED IN THE LIMITED OFFICIAL USE

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PRC AND THE COSTS INVOLVED.

H) ANY DIFFICULTIES THAT MAY ENSUE BECAUSE OF ETHNIC OR RELIGIOUS CIRCUMSTANCES.

I) ANY OTHER INFORMATION NOT REQUESTED BUT CONSIDERED RELEVANT REGARDING THE DISPOSITION OF REMAINS OF AMERICANS DYING IN PRC.

5. THE RESPONSIBILITY OF US CONSULAR OFFICERS IN DEATH
CASES IS CONTAINED IN 7 FAM 440. WHAT DIFFICULTIES DO
YOU FORESEE IN FULFILLING THIS RESPONSIBILITY? INGERSOLL

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